

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA
Plaintiff
v.
WAYLAN GRAVES,
Defendant

NO. CR 23-5287 DGE

Order Continuing Trial and PTM
Deadline

Order

Waylan Graves moves the Court to continue the trial in this case to sometime on or before June 30, 2024 and adjust the Pretrial Motions Deadline accordingly. He states that he needs more time to review the discovery, which has not yet been produced, and consult with his attorneys in addressing the charges. The Government advises that it has no opposition to the motion.

The Court GRANTS the motion. In doing so, it makes the following findings:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).
2. Proceeding to trial absent adequate time for the defense to prepare would

1 result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

2 3. The Court finds that the failure to grant the continuance requested by the
3 defense would deny the defense the reasonable time necessary for effective
4 preparation, taking into account the exercise of due diligence. Based on Mr. Graves’
5 Motion to Continue, and the Court’s review of the files and records in this case, the
6 Court finds that the defense needs additional time to review the discovery in this
7 case and consult with Mr. Graves. This case involves two alleged incidents that will
8 involve considerable discovery, some of which will be protected. The volume of
9 evidence will take Mr. Graves more time to review than the current trial date allows.
10

11 Taking into account the exercise of due diligence, a continuance is necessary
12 to allow the defendant the reasonable time to meet the above objectives.

13 Accordingly, IT IS HEREBY ORDERED that the trial date is continued to

14 _____ and that the pretrial motions deadline shall be _____.

15 The resulting period of delay from the filing date of this motion until the new trial
16 date is excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

17 IT IS SO ORDERED this ____ day _____, 2021.

18
19 _____
David G Estudillo
United States District Judge
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